UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/605,010	06/27/2000	Marzio Pozzuoli	57761.000031	3952

7590 06/20/2005

Thomas M Blasey Esq
Hunton & Williams
1900 K Street NW
Suite 120
Washington, DC 20006

EXAMINER	
DU, THUAN N	

ART UNIT	PAPER NUMBER
2116	

DATE MAILED: 06/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/605,010	POZZUOLI ET AL.	
	Examiner	Art Unit	
	Thuan N. Du	2116	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *28 March 2005*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-22* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-22* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *3/28/05*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. It is hereby acknowledged that the following papers have been received and placed of record in the file: IDS (dated 3/28/05).

2. Claims 1-22 are presented for examination.

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 103

4. Claims 1-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Maeda et al. [Maeda] (U.S. Patent No. 6,571,153) and Ette et al. [Ette] (German Patent No. 19722898).

5. Regarding claim 1, Maeda teaches a protective relay (2A1-2A2) for providing protective control to a power system [Figs. 1, 2] comprising:

a microprocessor (program module execution unit 9B; CPU 46A) for implementing a data flow in a communications server (program module unit 9A) in the protective relay (2A1-2A3) [Fig. 2; col. 12, lines 38-55];

first connection to a communication network (protective apparatuses 2A1-2A3 connected to apparatus 4 and the remote computer 3 via network 6 or Ethernet LAN 39) [Fig. 2, col. 11, lines 62-67] and second connection to the power system (protective apparatuses 2A1-2A3 connected to the power system P) [Fig. 2; col. 12, lines 26];

the communication server configured to receive relay configuration commands from a remote computer over the communications network, and to provide power system data and relay

status data to the remote computer over the communications network [col. 12, line 27 to col. 13, line 24].

Meada does not explicitly teach that the communications server receives relay configuration commands in a network format. Meada discloses that the communications server receives a program module containing the relay configuration commands. The relay configuration commands are embedded into the program module 7 and sent to the protective apparatus from the remote computer (col. 17, lines 37-63; col. 31, lines 34-43). After processing the received commands, the protective apparatus embeds the result data into the program module 7 (col. 18, lines 9-15) which is then transmitted to the apparatus 4 for displaying the result data (col. 18, lines 40-61).

Ette teaches a system for controlling a remote located protective relay by transmitting commands, data, or modified parameters to the protective relay over a communication network (Internet) in network format [translation, p. 2, last paragraph].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Meada to send relay configuration commands to each protective relay separately over the communication network (Internet) in network format as taught by Ette because they both teach the controlling of the power of the device over network. The modification would simplify the process to control the remote located protective relays.

6. Regarding claim 2, both Meada and Ette teach that the communication network is the Internet and the network format is the hypertext transfer protocol [Meada, col. 12, lines 1-7; Ette, translation, p. 2, third paragraph].

7. Regarding claim 3, Meada teaches that the remote computer 3 incorporates an Internet browser to allow a user to interface with the protective relay 2a1-2a3 (see column 16, line 46 to column 18, line 49; remote apparatus with GUI 2A to communicate with protective relay 2a1-2a3 via GUI 51).

8. Regarding claim 4, Meada teaches that the microprocessor supports Java Applets [col. 13, lines 1-6].

9. Regarding claims 5 and 6, Meada and Ette do not explicitly disclose the communications server including an HTML file server or HTTP protocol server. However, one of ordinary skill in the art would have recognized that Meada and Ette protective relay would include an HTML file server or HTTP protocol server in order for the protective relay receives and processes commands in HTML format.

10. Regarding claim 7, Meada teaches the communications server communicates with the remote computer over a local area network [LAN 39].

11. Regarding claim 8, Meada teaches the communications server communicates with the remote computer via the Internet 41 and at least one router 40 [Fig. 5].

12. Regarding claim 9, Meada teaches the communications server communicates with the remote computer via the Internet 41, at least a second router 40 (in computer 3) and a remote LAN 39 [Fig. 5].

13. Regarding claim 10, Ette teaches the communications server communicates with the remote computer via the Internet, a public switch telephone network and at least one modem [translation, p. 3, fifth paragraph].

14. Regarding claim 11, Maeda teaches the communication server operates according to instructions provided in a C++ code [col. 17, line 9 to col. 18, line 61, script control procedures].

15. Regarding claim 12, Maeda teaches the communication server includes one of more of the following protocol layers: secure socket layer, transmission control protocol, Internet protocol, and point-to-point protocol (inherently included in the communications between WAN 41 and Ethernet LAN 39).

16. Regarding claim 13, Maeda teaches the communication server receives a command from the remote computer 3, generates dynamic HTML data in response to the command if the command is of a first type [col. 17, line 9 to col. 18, line 61; cols. 30-31; the dynamic URLs and scripts], and generates previously-stored static data in response to the command if the command is of the second type [col. 17, line 9 to col. 18, line 61; cols. 30-31, the static URLs and scripts).

17. Regarding claims 14-22, they do not teach or further define over the limitations recited in claims 1-13 above. Therefore, claims 14-22 are also rejected for the same reasons set forth in claims 1-13.

Conclusion

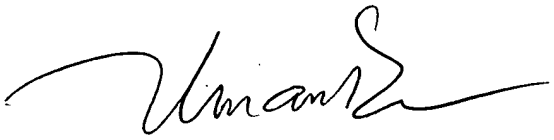
18. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thuan N. Du whose telephone number is (571) 272-3673. The examiner can normally be reached on Monday-Friday: 9:30 AM - 6:00 PM, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynne H. Browne can be reached on (571) 272-3670.

Central TC telephone number is (571) 272-2100.

The fax number for the organization is (703) 872-9306.

19. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll free).



Thuan N. Du
June 15, 2005